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PTO/SB/17 (10-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT **(\$)** 330.00

Complete if Known

RECEIVED

Application Number	10/064,695
Filing Date	August 7, 2002
First Named Inventor	Berry et al
Examiner Name	Stone, Jennifer A.
Art Unit	2636
Attorney Docket No.	201-0690 (FGT 1615 PA)

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

Deposit Account:

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06-1510
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The Director is authorized to: (check all that apply)

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FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385			Utility filing fee	
1002 340	2002 170			Design filing fee	
1003 530	2003 265			Plant filing fee	
1004 770	2004 385			Reissue filing fee	
1005 160	2005 80			Provisional filing fee	
SUBTOTAL (1) (\$)					

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
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Large Entity	Small Entity	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

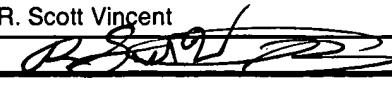
Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	330.00
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify) _____			

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 330.00

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	R. Scott Vincent	Registration No. (Attorney/Agent)	55,771	Telephone	248-223-9500
Signature				Date	7/20/04

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AF/26367
#10
M. Kelly
8-9-04

120
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of Berry et al.

Serial No.: 10/064,695

Group Art Unit: 2636

Filed: August 7, 2002

Examiner: Stone, Jennifer A.

For: METHOD AND SYSTEM FOR AUTOMATICALLY EXTENDING A TIRE
PRESSURE MONITORING SYSTEM FOR AN AUTOMOTIVE VEHICLE
TO INCLUDE AUXILIARY TIRES

Attorney Docket No.: 201-0690 (FGT 1615 PA)

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JUL 29 2004

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R. Scott Vincent

Date: 7/20/04

BRIEF ON APPEAL

Mail Stop Appeal Brief – Patents
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

The following Appeal Brief is submitted pursuant to the Notice of Appeal filed on
May 25, 2004, for the above-identified application.

07/27/2004 MBLANCO 00000003 061510 10064695

01 FC:1402

330.00 DA

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(10/064,695)

I. Real Party in Interest

The real party in interest in this matter is Ford Global Technology, LLC which is a wholly owned subsidiary of Ford Motor Company both in Dearborn, Michigan (hereinafter "Ford").

II. Related Appeals and Interferences

There are no other known appeals or interferences which will directly affect or be directly affected by or have bearing on the Board's decision in the pending appeal.

III. Status of the Claims

Claims 1-20 stand rejected in the Final Office Action. A copy of the claims on appeal is attached as an Appendix.

IV. Status of Amendments Filed After Final

No Amendments filed. A responsive reply was submitted April 26, 2004, addressing the Examiners comments of the Final Office Action.

V. Summary of the Invention

The present invention provides a system and method for automatically monitoring auxiliary tires to include additional spares and trailer tires. Claims 1, 8, and 16 encompass several points of novelty, and since claims 2-7, 9-15, and 17-20 depend from claims 1, 8, and 16, respectively, they also contain at least the same points of novelty.

Independent claims 1, 8, and 16 are similar in view of the prior art rejections as asserted by the Examiner and therefore will be discussed together. Claims 1 and 8 are directed towards methods for operating a tire pressure monitoring system and claim 16 is directed towards a system for tire pressure monitoring. Claim 1 recites a method for operating a tire pressure monitoring system having an auxiliary tire in an auxiliary location and a warning status memory.

In an example embodiment of the present invention without limitation as to scope, the invention senses the presence of an auxiliary tire 14F associated with the vehicle and programs the auxiliary transmitter's identification into the warning status memory. Application ¶0072. The auxiliary transmitter's identification is the identification associated with the transmitter 16F that is housed on the auxiliary tire. Application ¶0072. Once the auxiliary tire 14F with its auxiliary transmitter is associated with the vehicle, the auxiliary transmitter's identification is programmed into the warning status memory 324. Figure 19, Application ¶0075. Association of the auxiliary tire 14F (with its auxiliary transmitter 16F) with that of the vehicle occurs only after certain conditions are satisfied. Figure 19, Application ¶0074. In this example embodiment, the conditions are satisfied when the vehicle speed 312 is greater than a predetermined speed, the system has received the auxiliary transmitter identification signal 310, and a predetermined time has elapsed 316. Figure 19, Application ¶0074. The speed 312 is indicative of the motor vehicle and does not originate from the auxiliary transmitter 14F sending the identification signal. Figure 19, Application ¶0074. The predetermined time 316 is determined by generating a cumulative time signal 314. Figure 19, Application ¶0074. The cumulative time signal 314 is based upon the length of time that the vehicle receives signals sent by the auxiliary transmitter 14F, which correspondingly is the time period over which the system of the vehicle continues to receive the auxiliary transmitter identification signal. Figure 19, Application ¶0074. Therefore, the conditionality determines when the transmitter's identification is programmed into the system so that there is little chance of erroneous entry into

the warning status memory. Figure 19. This embodiment of the present invention minimizes the occurrence of associating nearby tire transmitters or other vehicle tire transmitters with the vehicle because the conditionality of speed and time will render other transmitters unassociated. Application ¶0011 and ¶0074. Also, this embodiment of the present invention maximizes the occurrence of associating the auxiliary tire with the vehicle without manual intervention, because the conditionality of speed and time determine when the auxiliary transmitter's identification is stored into the warning status memory without requiring manual input thereof. Application ¶0011.

Advantages of the invention include inadvertent activation due to adjacent vehicles transmitting is avoided, and driver intervention is also not required to recognize the additional auxiliary transmitters that are to be associated with the monitoring system. Application ¶0011.

The system may be used by other systems to insure that the auxiliary transmitter 14F is associated correctly with the present vehicle before the other systems of the vehicle provide warning statuses based on the data messages received from the auxiliary transmitter 14F (i.e., the auxiliary transmitter signal may be received from auxiliary tires unassociated or located in stray locations, spare locations, trailer locations, abandoned locations, or even from other vehicles. It is paramount that only auxiliary tire transmitters that are associated with the present vehicle are associated therewith by storing the auxiliary transmitter's identification into the warning status memory.) Application ¶0072 and ¶0074.

Claims 8 and 16 are variations of claim 1 as summarily described in the invention summary given above. Claim 8 recites a method for operating a tire pressure monitoring system having rolling tires in rolling locations, a spare tire in a spare location and an auxiliary tire in an auxiliary location. Claim 16 recites a system for tire pressure monitoring for a vehicle.

Claim 2 recites the method of claim 1 and further recites the auxiliary tire is not a rolling tire in a rolling location and is not a spare tire in a spare location.

Claim 3 recites the method of claim 1 and further recites the auxiliary tire includes an additional spare.

Claim 4 recites the method of claim 1 and further recites the auxiliary tire includes a trailer tire.

Claim 5 recites the method of claim 1 and further recites the auxiliary tire includes a plurality of trailer tires.

Claim 6 recites the method of claim 1 and generating warning statuses for each tire in a rolling locations, a spare location, and the auxiliary location.

Claim 7 recites the method of claim 1 and further recites the predetermined time is a function of a time when the vehicle speed is greater than the predetermined speed.

Claim 9 recites the method of claim 8 and further recites the predetermined time is a function of a time when the vehicle speed is greater than the predetermined speed.

Claim 10 recites the method of claim 8 and generating warning statuses for each tire in the rolling locations, the spare location, and the auxiliary location.

Claim 11 recites the method of claim 8 and displaying the warning statuses.

Claim 12 recites the method of claim 8 and further recites the auxiliary tire is not a rolling tire in a rolling and is not a spare tire in a spare location.

Claim 13 recites the method of claim 8 and further recites the auxiliary tire includes an additional spare.

Claim 14 recites the method of claim 8 and further recites the auxiliary tire comprises a trailer tire.

Claim 15 recites the method of claim 8 and further recites the time signal corresponds to a cumulative time the auxiliary transmission signal has been received from an auxiliary transmitter.

Claim 17 recites the system of claim 16 and further recites the controller is RF coupled to the rolling transmitters, spare tire transmitter, and auxiliary transmitter.

Claim 18 recites the method of claim 16 and further recites the auxiliary tire is other than a rolling tire in a rolling location or a spare tire in a spare location.

Claim 19 recites the method of claim 16 and further recites the predetermined time is a function of a time when the vehicle speed is greater than the predetermined speed.

Claim 20 recites the method of claim 16 and further recites the time signal corresponds to a cumulative time the auxiliary transmission signal has been received from an auxiliary transmitter.

VI. Issues

The following issues are presented in this appeal, each of which correspond directly to the Examiner's final ground for rejection and the Final Office Action:

Whether claims 1-3, 6-13, and 15-20 are unpatentable under 35 U.S.C. §102(b) over *DeZorzi* (6,232,875).

Whether claims 4, 5, and 14 are unpatentable under 35 U.S.C. §103(a) over *DeZorzi* in view of *Taylor* (1,954,153).

VII. Grouping of Claims

The rejected claims have been grouped together by the Examiner in the rejection. The Appellants state, however, that each of the rejected claims stands on its own recitation and is separately patentable for the reasons set forth in detail below.

VIII. Argument

THE REJECTION OF PATENTABLE CLAIMS 1-3, 6-13, AND 15-20 UNDER 35 U.S.C. §102(B)

Claims 1-3, 6-13, and 15-20 stand fully rejected under 35 U.S.C. §102(b) as being unpatentable by *DeZorzi*.

For a proper §102(b) rejection, each and every element must be present in the reference. Appellants respectfully submit that each and every element of independent claims 1, 8, and 16 is not present in the *DeZorzi* reference.

DeZorzi is directed to an apparatus and method for controlling a tire condition module of a vehicle tire. In *DeZorzi* a tire condition sensor module (14) includes a tire condition sensor (78, 84, 88) operative to sense a tire condition of an associated tire (20) and provide a signal indicative thereof. A motion detector (32) is operative to detect movement of the tire and provide a motion signal indicative thereof. A transmitter (44) transmits a tire transmitter signal indicative of the tire condition signal. A controller (72) is connected with the motion detector (32), the transmitter (44), and the tire condition sensor (78, 84, 88). The controller (72) controls the tire condition sensor (78, 84, 88) to sense the tire condition at a first sensing rate during an initial time period in which the motion signal indicates less than a predetermined amount of tire movement. The controller (72) controls the transmitter (44) during the initial time period to transmit the tire transmitter signal depending on the sensed tire condition. The

controller (72) controls the tire condition sensor (78, 84, 88) after the initial time period to sense at a second sensing rate, which is less than the first sensing rate, so long as the motion signal continues to indicate less than the predetermined amount of tire movement.

What must be emphasized in *DeZorzi* is that the tire condition modules (14, 16, 18) each have a controller 72. The controller 72 in each of the tire condition module 14 is not the same as controller 64, although both kinds of controllers are located on the vehicle 10. Also, *DeZorzi* emphasizes that the controller 64 may receive the tire condition signal from the controller 72 of each tire condition module when the transmitter 44 of controller 72 transmits a tire condition signal. Furthermore, *DeZorzi* emphasizes and is directed to the timing of the transmission of the tire condition signal from controller 72 depending upon its mode.

The present invention is directed to, as given here without limiting the scope of the present invention, sensing the presence of an auxiliary tire associated with the vehicle and programming the auxiliary transmitter's identification into the warning status memory. The auxiliary tire with its auxiliary transmitter is associated with the vehicle only after certain conditions are satisfied. In one embodiment, the transmitter's identification is programmed into the system when the vehicle is traveling above a predetermined speed for a predetermined duration so that little chance of erroneous entry is provided.

DeZorzi is directed at a timing system of a tire module for transmission of a tire condition signal. The present invention is directed to a method and system for automatically including auxiliary tires such as for trailers and additional spare tires. The cited prior art is only relevant to the extent that it involves tires.

In accordance with the claimed invention, Appellants respectfully believe that several of the steps described in claim 1 are not taught or suggested in the *DeZorzi* reference. Claim 1 is directed to a method for operating a tire pressure monitoring system having an auxiliary tire in an auxiliary location and a warning status memory. The first step is "receiving a speed signal corresponding

to a vehicle speed." Appellants believe that no teaching or suggestion is found for receiving a speed signal corresponding to a vehicle speed. In the Final Office Action the Examiner points to the example on lines 1-18 of Col. 5, item 32 of Fig. 2, and item 72 of Fig. 2 of the *DeZorzi* reference to show the motion detector 32 provides a signal to the controller 72 in response to the detected movement. The Examiner also states on page 6 of the Final Office Action, "This data is received by the controller (Fig. 2, item 72)." This is true, however, but the *DeZorzi* reference merely teaches the motion detector detects movement such as in response to rotation or vibration. See Col. 4, lines 61-67. And "this data" is not the same data to which the present invention is concerned and even if it is the same data, it is not transmitted, nor does it teach or suggest transmitting "this data" to the correct controller, i.e. controller 64. Also, the centrifugal switch 32 of the Examiner' cited example on lines 1-18 of Col. 5 is only indicative of movement. The centrifugal switch or the motion detector of the *DeZorzi* reference does not provide a vehicle speed or velocity signal as required by claim 1. Furthermore, for argument sake, even if the *DeZorzi* reference provided a vehicle speed from the transmitter of the controller 72 to the controller 64 it would teach away from the present invention, i.e., negate, the conditionality requirement as necessitated by claim 1 as argued below.

In the Final Office Action Chart 1 prepared by the Examiner was provided. The Advisory Action stated in response to Appellants' request that, "[C]hart 1 is not prior art, but is based on a prior art reference to exemplify that DeZorzi receives a speed signal corresponding to a vehicle speed to measure speed according to three predetermined speed modes." Appellants assert that Chart 1 is not a prior art reference and as such Chart 1 should not be used for a 102(b) rejection whether or not Chart 1 exemplifies the cited prior art. Therefore to clarify the record, Appellants put forth the following table correcting the Final Office Action assertion of the motion detector in the *DeZorzi* reference. The following table clearly shows that the element or switch does not provide a velocity signal and has only two states, e.g. on and off.

Element	motion detector 32 (Col. 4, lines 61-67)		
Switch Type	centrifugal switch (Col. 5, lines 1-18)		
Switch State	Closed (i.e., on)	Open (i.e., off)	
Logic Signal	HIGH	LOW	LOW
Indicative of an Approximate Speed	> 10 MPH	0 MPH < 10 MPH	no motion
Mode of Controller	Normal	Pre-Sleep or Sleep	
Time for signal transmission the module depending upon mode of its controller	4-10 seconds	10-25 or 10-45 minutes	

Even if the first step is shown other steps are not taught or suggested in the *DeZorzi* reference. That is, claim 1 recites "generating a cumulative time signal corresponding to a cumulative receiving time of the transmitter identification signal." The cumulative time signal generated corresponds to a cumulative receiving time of the transmitter identification signal. In response to Appellants' arguments the Examiner, citing *DeZorzi* and Examiner's own chart, states, "The data message measures the cumulative receiving time of the transmitter ID signal (Col. 3, lines 55-59; Col. 5, lines 34-36). The cumulative time signal is generated to determine vehicle mode (see chart 1 and time)." The Examiner has incorrectly stated the cited reference and has combined portions of two different sentences in the reference patent to show only part of this element. Furthermore, the Examiner has rested upon non-prior art Chart 1 to support the remaining argument stating, "[T]he cumulative time signal is generated to determine vehicle mode", but has failed to show "a cumulative time signal generated that corresponds to a cumulative receiving time of the transmitter identification signal" as required by claim 1. Moreover, the cited reference fails to teach or suggest that a cumulative time signal is generated. The cited reference only teaches and suggests the period for signal transmission of the module depending upon the mode that the module is in, which in no way reflects upon or applies to Appellants' present invention.

Also, the last step of claim 1 is not taught or suggested by *DeZorzi* as the Examiner poses in paragraphs c, d, e, and f on pages 6-7 of the Final Office Action. For clarification, Appellants wish to point out in the Final Office Action that it is “the auxiliary location” and not “an” auxiliary location that is the proper antecedent basis invoked by the claim. The last element requires “when the speed is greater than a predetermined speed and when the cumulative time signal is greater than a predetermined time, associating the auxiliary sensor identification to the auxiliary location of the warning status memory.” Although a controller for receiving data from a tire condition module is illustrated in *DeZorzi*, no teaching or suggestion is found for associating the auxiliary sensor identification to the auxiliary location of the warning status memory when certain conditions are met. The Examiner points to Chart 1 to assert that the conditions are met. Examiner’s Chart 1 is not prior art. Further, the Examiner points to Fig. 1, items 62, 64, 60, and 68 on page 7 of the Final Office Action showing the controller 64 receiving a signal from the tire condition module 14, where module 14 is shown in detail in Fig. 2 having a different controller 73 with a memory 72. The Examiner fails to address Appellants’ assertion that *DeZorzi* does not teach associating the auxiliary sensor identification to the auxiliary location of the warning status memory. The details of Fig. 1 and Fig. 2 of *DeZorzi* talk about a module having a controller 73 that transmits the condition of a tire at particular time intervals, depending upon its mode, to a different receiving controller 64 for display of the information. Appellants’ invention is different in that it is a system for automatically including auxiliary tires in a pressure monitoring system for an automotive vehicle by associating the auxiliary sensor identification to the auxiliary location of the warning status memory when certain conditions are met. Examiner has not even alleged that the *DeZorzi* reference teaches a warning status memory having an auxiliary location for associating the auxiliary sensor identification.

Claim 8 is similar in scope to claim 1 except that it is a variant of claim 1. Because of this, claim 8 is also believed to be independently patentable. Claim 8 recites that when the time signal is greater than a predetermined time,

associating the auxiliary sensor identification to an auxiliary location of the warning status memory. The Final Office Action states, concerning *DeZorzi*, “[i]t is inherent that a generated time signal responds to receiving a speed signal in the control circuit to control the timing of the tire condition measurements and timing transmission of data messages (Col. 5, lines 34-36).” Whether or not it is inherent, it is irrelevant to determining when the auxiliary sensor identification is associated with the auxiliary location of the warning status memory as required by claim 8.

Claim 16 is similar in scope to claim 1 except that it is a system rather than a method claim. Because of this, claim 16 is also believed to be independently patentable. Claim 16 is believed to be allowable for the same reasons set forth with respect to claim 1. Claim 16 recites that the controller receives the auxiliary sensor transmission signal, when the speed is greater than a predetermined speed and, when the time signal is greater than a predetermined time, associating the auxiliary sensor identification to an auxiliary location of the warning status memory.

Appellants therefore respectfully request the Board to reverse the Examiner’s position with respect to claims 1, 8, and 16 since each and every element of claims 1, 8, and 16 are not found in the *DeZorzi* reference.

Claim 2 is also believed to be independently patentable since the auxiliary tire is not a rolling tire in a rolling location and is not a spare tire in a spare location. Claim 2 is a narrowing of claim 1 from which it depends, wherein claim 2 is directed to tires not part of the vehicle. *DeZorzi* is directed at tires that are part of the vehicle as explained in the Final Office Action where it cites lines 11-21 of Col. 3 of the reference.

Independently patentable Claim 3 further recites the auxiliary tire includes an additional spare. This claim is dependent from claim 1. Appellants believe that the combination of claims 3 and 1 is not taught or suggested in the *DeZorzi* reference.

Claim 6 is independently patentable and further recites generating warning statuses for each tire in a rolling locations, a spare location, and the

auxiliary location. The Final Office Action states on page 8, "All tires including the rolling and spare tires are equipped with a sensor/transmitter module (Col. 3, lines 11-21; Fig. 1, items 14, 16, and 18)." This is true, however, it has not addressed the issue that the *DeZorzi* reference does not teach or suggest generating warning statuses for each tire in a rolling location, a spare location, *and the auxiliary location* (emphasis added). This claim is dependent from claim 1. This combination is not taught or suggested in the *DeZorzi* reference.

Claim 7 is independently patentable and further recites the predetermined time is a function of a time when the vehicle speed is greater than the predetermined speed. This claim is dependent from claim 1. This combination is not taught or suggested in the *DeZorzi* reference.

Claim 9 is independently patentable and further recites the predetermined time is a function of a time when the vehicle speed is greater than the predetermined speed. This claim is dependent from claim 8. This in combination with the elements of claims 8 and 1 are not taught or suggested in the *DeZorzi* reference.

Claim 10 is independently patentable and further recites generating warning statuses for each tire in the rolling locations, the spare location, and the auxiliary location. This claim is dependent from claim 8. This in combination with the elements of claims 8 and 1 are not taught or suggested in the *DeZorzi* reference. Also, this claim is allowable for the reasons stated for claim 6.

Claim 11 is also believed to be independently patentable. This claim depends from claim 8. This in combination with the elements of claims 8 and 1 are not taught or suggested in the *DeZorzi* reference.

Claim 12 is also believed to be independently patentable since the auxiliary tire is not a rolling tire in a rolling location and is not a spare tire in a spare location. Claim 12 is a narrowing of claim 8 from which it depends, wherein claim 12 is directed to tires not part of the vehicle. *DeZorzi* is directed at tires that are part of the vehicle as explained in the Final Office Action where it cites lines 11-21 of Col. 3 of the reference.

Claim 13 is independently patentable and further recites the auxiliary tire includes an additional spare. This claim is dependent from claim 8. This in combination with the elements of claims 8 and 1 are not taught or suggested in the *DeZorzi* reference.

Claim 15 is also believed to be independently patentable. Claim 15 further recites the time signal corresponds to a cumulative time the auxiliary transmission signal has been received from an auxiliary transmitter. This in combination with the elements of claims 8 and 1 are not taught or suggested in the *DeZorzi* reference.

Claim 17 is also believed to be independently patentable. Claim 17 further recites the controller is RF coupled to the rolling transmitters, spare tire transmitter, and auxiliary transmitter. The Final Office Action states, “*DeZorzi* discloses the controller being electrically coupled to the RF transmitters in the rolling tire or any of the spare tires including the auxiliary tires (Col. 3, lines 16-28).” This is true, however, this claim is not directed towards the electrical connections within the transmitter as is posed by the Examiner. This claim is concerned with wireless RF communication between a transmitter and a controller. This claim depends from claim 16. This in combination with the elements of claims 16 and 1 are not taught or suggested in the *DeZorzi* reference.

Claim 18 is also believed to be independently patentable as being dependent from claim 16 and for the reasons stated for claim 2. This in combination with the elements of claims 16 and 1 are not taught or suggested in the *DeZorzi* reference.

Claim 19 is also believed to be independently patentable as being dependent from claim 16 and for the reasons stated for claim 7. This in combination with the elements of claims 16 and 1 are not taught or suggested in the *DeZorzi* reference.

Claim 20 is also believed to be independently patentable. Claim 20 further recites the time signal corresponds to a cumulative time the auxiliary transmission signal has been received from an auxiliary transmitter. This in

combination with the elements of claims 16 and 1 are not taught or suggested in the *DeZorzi* reference.

Further, dependent claims 2-7, 9-15, and 17-20 are also believed to be allowable for the same reasons set forth above.

Claims 2-20 are also believed to be allowable for the same reasons set forth above. That is, claims 2-20 are dependent upon claim 1.

THE REJECTION OF PATENTABLE CLAIMS 12, 14, AND 15 UNDER 35 U.S.C. §103(A)

The Examiner rejects claims 4, 5 and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *DeZorzi* (6,232,875) in view of *Taylor* (1,954,153). As mentioned above, the *DeZorzi* reference is missing several limitations from the claims as stated above. The *Taylor* reference does not teach or suggestion the missing elements of the *DeZorzi* reference.

Claim 4 is also believed to be independently patentable. Claim 4 recites that auxiliary tire includes a trailer tire. Appellants respectfully submit that the recitations of claim 4 in combination with claim 1 are not taught or suggested in the combination of the *DeZorzi* and *Taylor* references.

Claim 5 is dependent from claim 1, believed to be independently patentable, and recites that the auxiliary tire includes a plurality of trailer tires. This is not taught or suggested in the combination of the *DeZorzi* and *Taylor* references.

Claim 14 is also believed to be independently patentable since the auxiliary tire comprises a trailer tire. This in combination with the elements of claims 8 and 1 are not taught or suggested in the combination of the *DeZorzi* and *Taylor* references.

Therefore, Appellants respectfully request the Board to reconsider these claims as well.

IX. Appendix

A copy of each of the claims involved in this appeal, namely claims 1-20 is attached hereto as Appendix A.

X. Conclusion

For the foregoing reasons, Appellants respectfully request that the Board direct the Examiner in charge of this examination to withdraw the rejections.

Please charge any fees required in the filing of this appeal to deposit account 06-1510.

Respectfully submitted,



R. Scott Vincent
Registration No. 55,771
Attorney for Appellants

Date: 7/20/04

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APPENDIX

1. A method for operating a tire pressure monitoring system having an auxiliary tire in an auxiliary location and a warning status memory comprising:
 - receiving a speed signal corresponding to a vehicle speed;
 - receiving an auxiliary sensor transmitter identification signal;
 - generating a cumulative time signal corresponding to a cumulative receiving time of the transmitter identification signal;
 - when the speed is greater than a predetermined speed and when the cumulative time signal is greater than a predetermined time, associating the auxiliary sensor identification to the auxiliary location of the warning status memory.
2. A method as recited in claim 1 wherein the auxiliary tire is not a rolling tire in a rolling location and is not a spare tire in a spare location.
3. A method as recited in claim 1 wherein the auxiliary tire comprises an additional spare.
4. A method as recited in claim 1 wherein the auxiliary tire comprises a trailer tire.
5. A method as recited in claim 1 wherein the auxiliary tire comprises a plurality of trailer tires.

6. A method as recited in claim 1 further comprising generating warning statuses for each tire in a rolling locations, a spare location, and the auxiliary location.

7. A method as recited in claim 1 wherein said predetermined time is a function of a time when the vehicle speed is greater than the predetermined speed.

8. A method for operating a tire pressure monitoring system having rolling tires in a rolling locations, a spare tire in a spare location and an auxiliary tire in an auxiliary location comprising:

associating the plurality of rolling tires with a respective plurality of rolling locations and a spare tire with a spare location in a warning status memory;

receiving a speed signal corresponding to a vehicle speed;

generating a time signal in response to receiving a speed signal;

receiving an auxiliary sensor transmission signal when the speed is greater than a predetermined speed;

when the time signal is greater than a predetermined time, associating the auxiliary sensor identification to an auxiliary location of the warning status memory.

9. A method as recited in claim 8 wherein said predetermined time is a function of a time when the vehicle speed is greater than the predetermined speed.

10. A method as recited in claim 8 further comprising generating warning statuses for each tire in the rolling locations, the spare location, and the auxiliary location.

11. A method as recited in claim 10 further comprising displaying the warning statuses.

12. A method as recited in claim 8 wherein the auxiliary tire is not a rolling tire in a rolling and is not a spare tire in a spare location.

13. A method as recited in claim 8 wherein the auxiliary tire comprises an additional spare.

14. A method as recited in claim 8 wherein the auxiliary tire comprises a trailer tire.

15. A method as recited in claim 8 wherein the time signal corresponds to a cumulative time the auxiliary transmission signal has been received from an auxiliary transmitter.

16. A tire pressure monitoring system for a vehicle comprising:
a speed sensor generating a speed signal indicative of vehicle speed;
a timer generating a time signal;
a warning status memory having warning statuses therein;
a plurality of rolling tires in respective rolling location, said plurality of rolling tires having respective rolling transmitters;

an auxiliary tire in an auxiliary location having an auxiliary transmitter generating an auxiliary sensor transmission signal;

a controller coupled to the rolling transmitters, the auxiliary tire transmitter and the warning status memory, said controller receiving the auxiliary sensor transmission signal, when the speed is greater than a predetermined speed and, when the time signal is greater than a predetermined time, associating the auxiliary sensor identification to an auxiliary location of the warning status memory.

17. A system as recited in claim 16 wherein said controller is RF coupled to the rolling transmitters, spare tire transmitter, and auxiliary transmitter.

18. A system as recited in claim 16 wherein the auxiliary tire is other than a rolling tire in a rolling location or a spare tire in a spare location.

19. A system as recited in claim 16 wherein said predetermined time is a function of a time when the vehicle speed is greater than the predetermined speed.

20. A system as recited in claim 16 wherein the time signal corresponds to a cumulative time the auxiliary transmission signal has been received from an auxiliary transmitter.